IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

THURSDAY, THE TWENTIETH DAY OF SEPTEMBER
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No.18533 of 2007

Between:
M.Manoj Kumar

….. PETITIONER

AND
The Government of Andhra Pradesh,
Rep.by its Principal Secretary
Municipal Administration & Urban Development
Secretariat, Hyderabad and 4 others

.....RESPONDENTS

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION No.18533 of 2007

ORDER:

This writ petition is filed by the petitioner assailing the Notification issued under Sec.4(1) of the Land Acquisition Act (hereinafter referred to as 'the Act'), which is stated to have been published in the gazette on 30.06.2004, while under Sec.6-Declaration was published on 23.07.2005.

The proceedings are assailed on various grounds. But, however, it is stated that the petitioner acquired the property, which was under acquisition, under a sale deed dated 05.01.2005. Since the petitioner purchased the property in question long after the publication of Sec.4(1) Notification, proposing to acquire the land, the sale is held to be void as per the judgments of the Supreme Court. However, it is stated that though the sale is void, as he has acquired rights from the original owner, he can seek payment of compensation to which the original owner is entitled, by stepping into the shoes of the original owner, therefore, he is entitled only to that limited extent.

In fact, it is stated by the learned standing counsel for the respondent that the petitioner has already participated in the award enquiry, by filing a claim petition on 18.08.2007.

In that view of the matter, the Writ Petition is devoid of merit and the same is, accordingly, dismissed. No order as to costs.

S.ANANDA REDDY,J

Dated: 20.09.2007
Dsr